

March 15, 1995

ECONOMIC DEVELOPMENT — H.B. 856, S.B. 885, S.B. 417, S.B. 529

CRIMINAL JUSTICE — S.B. 322, S.B. 146 (Amended), C.S.S.B. 281, C.S.S.B. 576, C.S.S.B. 222, C.S.S.B. 68

NATURAL RESOURCES — C.S.S.B. 810, S.B. 811, C.S.S.B. 219, S.B. 424 (Amended), S.B. 814, S.B. 733 (Amended)

INTERNATIONAL RELATIONS, TRADE, AND TECHNOLOGY — S.B. 981, S.B. 1420

THIRTY-SIXTH DAY

(Thursday, March 16, 1995)

The Senate met at 10:30 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Truan, Turner, Wentworth, West, Whitmire, Zaffirini.

Absent-excused: Sims.

A quorum was announced present.

The Reverend Dr. Steven Wright, Park Hills Baptist Church, Austin, offered the invocation as follows:

Heavenly Father, how we give You praise today for the precious gift of life! Thank You that in Your sovereignty You have given us the breath of life for yet another day.

In light of Your kindness, Father, we commit to live this day to Your glory and for the greatest good of our beloved Texas.

May the matters before us in these Senate chambers (which reverberate with the echoes of our wonderfully rich history) be integrated through the eyes of a God who is a lover of life and an embracer of all who promote such causes.

In particular, give wisdom to those here who would discuss the rights of parents and guardians over their children. May the "bottom line" of profit and loss not be our true "bottom line." May our pre-teens and our teenagers and their parents and guardians learn from these, our leaders, that the family is of utmost regard in the hearts and minds of our Senators.

May courage and moral rightness rule the day and the weeks ahead in this matter, dear Lord. Bless these in authority over us.

Give them Your wisdom as they rule. In Christ's name. Amen.

On motion of Senator Truan and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVE OF ABSENCE

On motion of Senator Truan, Senator Sims was granted leave of absence for today on account of illness.

CO-AUTHORS OF SENATE CONCURRENT RESOLUTION 84

On motion of Senator Zaffirini and by unanimous consent, Senators Barrientos, Ellis, Lucio, Madla, Truan, and West will be shown as Co-authors of **S.C.R. 84**.

CO-AUTHOR OF SENATE BILL 897

On motion of Senator Sims and by unanimous consent, Senator Brown will be shown as Co-author of **S.B. 897**.

CO-AUTHOR OF SENATE BILL 1026

On motion of Senator Madla and by unanimous consent, Senator Wentworth will be shown as Co-author of **S.B. 1026**.

CO-AUTHORS OF SENATE BILL 1278

On motion of Senator Luna and by unanimous consent, Senators Ellis and Wentworth will be shown as Co-authors of **S.B. 1278**.

CO-AUTHOR OF SENATE BILL 1511

On motion of Senator Nixon and by unanimous consent, Senator Montford will be shown as Co-author of **S.B. 1511**.

MESSAGE FROM THE HOUSE

House Chamber
March 16, 1995

Mr. President: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 65, Urging the Congress of the United States to amend the federal Endangered Species Act.

H.B. 1155, Relating to the limited authority of a peace officer from an adjoining state to transport certain criminal defendants in this state.

H.B. 677, Relating to the validity of certain documents to which certain notaries public fail to attach an official seal.

H.B. 556, Relating to the criminal offense of trespass on agricultural lands.

Respectfully,

Cynthia Gerhardt, Chief Clerk
House of Representatives

HOUSE BILLS ON FIRST READING

The following bills received from the House were read first time and referred to the committees indicated:

- H.B. 637** to Committee on Jurisprudence.
- H.B. 839** to Committee on State Affairs.
- H.B. 840** to Committee on State Affairs.
- H.B. 988** to Committee on Health and Human Services.
- H.B. 1204** to Committee on Criminal Justice.

SENATE BILLS AND RESOLUTIONS ON FIRST READING

The following bills and resolutions were introduced, read first time, and referred to the committees indicated:

- S.J.R. 54** by Cain, Nelson State Affairs
Proposing a constitutional amendment to provide for submitting certain legislation to the voters for their approval.
- S.J.R. 55** by Ellis Finance
Proposing a constitutional amendment relating to bonds issued to augment the Housing Trust Fund.
- S.J.R. 56** by Henderson Jurisprudence
Proposing that the Supreme court be directed to promulgate certain rules regarding lawyer advertising.
- S.C.R. 88** by Cain Health and Human Services
Expressing support for the study and evaluation of an integrated treatment approach for persons with a co-occurring substance addiction and mental illness.
- S.C.R. 90** by Shapiro Education
Requesting the lieutenant governor and the speaker of the house of representatives to create a joint interim committee to study the feasibility of developing and implementing a statewide parent education program for parents of preschool-age children based on the model afforded by the Home Instruction Program for Preschool Youngsters.
- S.C.R. 91** by Cain State Affairs
Urging Congress to enact H.R. 842, the "Truth in Budgeting Act," to take the transportation trust funds out of the General Fund Budget.
- S.C.R. 92** by Montford Administration
Granting Imagents, Inc., permission to sue the State of Texas and The University of Texas System.
- S.C.R. 93** by Montford Administration
Granting Imagents, Inc., permission to sue the State of Texas and The University of Texas System.
- S.C.R. 95** by Wentworth State Affairs
Declaring the Mexican free-tailed bat the "Official Flying Mammal" of the State of Texas.

- S.B. 1183** by Sibley Health and Human Services
Relating to the delivery of health care by nonprofit health corporations.
- S.B. 1184** by Luna Jurisprudence
Relating to certain fees and costs collected by statutory county courts in counties with a population of more than one million.
- S.B. 1185** by Turner Economic Development
Relating to inclusion of a psychologist on the medical advisory committee appointed by the Texas Workers Compensation Commission and the treatment of mental trauma injuries by a psychologist under the Texas workers compensation system; and declaring an emergency.
- S.B. 1186** by Turner Jurisprudence
Relating to appeals from interlocutory orders of a district court, county court at law, or county court.
- S.B. 1187** by Turner Finance
Relating to the apportionment of taxable capital and taxable earned surplus to the state.
- S.B. 1188** by Turner Economic Development
Relating to providing immunity from civil suits to persons who communicate, verbally or in writing, to the Pardons and Paroles Division of the Texas Department of Criminal Justice.
- S.B. 1189** by Sims, Lucio Natural Resources
Subcommittee on Agriculture
Relating to the control and eradication of cotton pests by the Department of Agriculture.
- S.B. 1190** by Ellis Health and Human Services
Relating to the duty of nonprofit, tax-exempt hospitals to provide charity care.
- S.B. 1191** by Barrientos Criminal Justice
Relating to the participation of certain convicted felons in county jail work release programs.
- S.B. 1192** by Barrientos Jurisprudence
Relating to the procedure for perfecting a mechanic's lien of a subcontractor.
- S.B. 1193** by Barrientos Health and Human Services
Relating to the right of a patient or the patient's representative to a copy of the patient's medical records and to the charge for providing the copy.
- S.B. 1194** by Wentworth State Affairs
Relating to allocation of delegates after presidential primary elections.
- S.B. 1195** by Wentworth Jurisprudence
Relating to indemnification by the state for attorney's fees incurred by a person in defense of certain criminal prosecutions.

- S.B. 1196** by Sims, Lucio Natural Resources
Subcommittee on Agriculture
Relating to the boll weevil eradication program.
- S.B. 1197** by Sims, Wentworth Criminal Justice
Relating to a special judge serving a county court.
- S.B. 1198** by Ellis Intergovernmental Relations
Relating to the power of a municipality to abate certain nuisances that are dangerous to the public health or safety; creating a civil penalty.
- S.B. 1199** by Ellis State Affairs
Relating to monitoring state agency compliance with Title VI of the federal Civil Rights Act of 1964.
- S.B. 1200** by Ellis State Affairs
Relating to requiring the Sunset Advisory Commission to consider a state agency's compliance with state purchasing programs for assisting historically underutilized businesses during the commission's sunset review of the agency.
- S.B. 1201** by Ellis Criminal Justice
Relating to including offenders committed to the Texas Youth Commission in Project Rio (Reintegration of Offenders).
- S.B. 1202** by Ellis State Affairs
Relating to the conditions under which the status as a historically underutilized business may be removed.
- S.B. 1203** by Ellis Intergovernmental Relations
Relating to the use of funds by, and to reports required of, local housing finance corporations.
- S.B. 1204** by Ellis State Affairs
Relating to state agency reports to the General Services Commission and to the commission's reports about purchases from historically underutilized businesses.
- S.B. 1205** by Ellis Criminal Justice
Relating to provisions establishing a youth boot camp program for juvenile offenders; prescribing a definition of "boot camp" and the uses, purposes, and programmatic content for boot camps; and providing for an evaluation of boot camps' effectiveness.
- S.B. 1206** by Ellis Finance
Relating to the issuance of tuition revenue bonds for the University of Houston-Downtown.
- S.B. 1207** by Ellis Finance
Relating to deposit of public funds in banks or savings associations.
- S.B. 1208** by Ellis Intergovernmental Relations
Relating to the appointment of a tenant member to the governing body of a municipal housing authority.

S.B. 1209 by Ellis Economic Development
Relating to the business of currency exchange, currency transmission, and currency transportation, amending Article 350, Vernon's Texas Civil Statutes; and making an appropriation.

S.B. 1210 by Ellis Jurisprudence
Relating to provisions governing common nuisances and the authority conferred on the attorney general, amending provisions of the Civil Practice and Remedies Code, the Code of Criminal Procedure, and the Government Code; and making an appropriation.

S.B. 1211 by Ellis Intergovernmental Relations
Relating to the provision of multifamily residential development units by local governments for occupancy by individuals and families of low and very low income.

S.B. 1212 by Ellis Jurisprudence
Relating to venue, notice, and attorney general participation in proceedings involving charitable trusts.

S.B. 1213 by Ellis Finance
Relating to the deposit of funds in the Housing Trust Fund and use of the Housing Trust Fund.

S.B. 1214 by Ellis Jurisprudence
Relating to the registration and reporting by charitable organizations.

S.B. 1215 by Ellis State Affairs
Relating to the provision of multifamily residential housing development units for occupancy by individuals and families of low and very low income.

S.B. 1216 by Ellis Economic Development
Relating to the registration and reporting by commercial solicitors and restrictions on charitable solicitation.

S.B. 1217 by Ellis Criminal Justice
Relating to notification of certain interest holders and owners of seized contraband in forfeiture proceedings under Chapter 59, Code of Criminal Procedure; providing that asset forfeiture is remedial in nature, rather than punitive.

S.B. 1218 by Patterson Finance
Relating to the payment of interest on overpaid taxes.

S.B. 1219 by Patterson Criminal Justice
Relating to dental, medical, and health-related expenses incurred by prisoners confined in county jail and persons kept under guard in county jail.

S.B. 1220 by Patterson Education
Relating to the authority of certain school districts to establish an ad valorem tax rate that exceeds the rate limitation imposed on school districts.

- S.B. 1221** by Nixon, Barrientos, State Affairs
Bivins, Ellis, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom,
Lucio, Luna, Madla, Moncrief, Montford, Nelson, Patterson, Ratliff,
Rosson, Shapiro, Sibley, Truan, Turner, Wentworth, West,
Whitmire, Zaffirini
Relating to a voluntary agreement by a person to provide materials for the
construction or maintenance of county roads.
- S.B. 1222** by Leedom Economic Development
Relating to the payment of interest to designated beneficiaries.
- S.B. 1223** by Patterson, Armbrister, Natural Resources
Galloway, Lucio, Truan
Relating to establishing the Center for Ports and Waterways.
- S.B. 1224** by Whitmire Jurisprudence
Relating to claims against a decedent's estate.
- S.B. 1225** by Gallegos State Affairs
Relating to a report on fire protection services by the Texas Commission
on Fire Protection.
- S.B. 1226** by West, Health and Human Services
Sims, Montford
Relating to certain minimum standards for child-care facilities.
- S.B. 1227** by Armbrister State Affairs
Relating to the regulation of electric cooperative corporations.
- S.B. 1228** by Barrientos Education
Relating to actions by the State Postsecondary Review Entity.
- S.B. 1229** by Zaffirini, Moncrief Health and Human Services
Relating to the Maternal and Infant Health Improvement Act and to the
development of a perinatal health care system.
- S.B. 1230** by Armbrister Economic Development
Relating to the right of an employee to time off from work to participate
in certain school activities of the employee's child.
- S.B. 1231** by Armbrister State Affairs
Relating to the powers and duties of and systems and programs under the
Employees Retirement System of Texas.
- S.B. 1232** by Armbrister, Ratliff Economic Development
Relating to a motor vehicle self-insurance program for volunteer
fire departments.
- S.B. 1233** by Armbrister Intergovernmental Relations
Relating to the creation of emergency services districts without taxing
authority and the conversion of such districts to emergency services
districts with taxing authority.
- S.B. 1234** by Armbrister Finance
Relating to reimbursement of certain fees and taxes paid by a motor
vehicle rental company; providing a civil penalty.

- S.B. 1235** by Armbrister State Affairs
Relating to architectural barriers.
- S.B. 1236** by Armbrister State Affairs
Relating to the sale of beer within assigned territories.
- S.B. 1237** by Armbrister State Affairs
Relating to smoking in public places and places of employment; providing criminal penalties.
- S.B. 1238** by Armbrister Criminal Justice
Relating to allowing municipalities and counties to enter into contracts for the collection of certain court costs and fines.
- S.B. 1239** by Armbrister Intergovernmental Relations
Relating to the compensation of an official district court reporter.
- S.B. 1240** by Brown Jurisprudence
Relating to mediated settlement agreements.
- S.B. 1241** by Haywood Intergovernmental Relations
Relating to the operation of the Muenster Hospital District.
- S.B. 1242** by Haywood State Affairs
Relating to certain state-paid travel and the use of state-owned aircraft by certain state officers and employees.
- S.B. 1243** by Haywood Natural Resources
Relating to hunting mule deer in Hardeman County.
- S.B. 1244** by Haywood State Affairs
Relating to limiting political contributions for statewide and legislative offices; providing a criminal penalty.
- S.B. 1245** by Haywood State Affairs
Relating to requiring certain elected officers and candidates to file federal income tax returns; providing a criminal penalty.
- S.B. 1246** by Haywood Natural Resources
Relating to quail hunting in Cottle County.
- S.B. 1247** by Haywood Natural Resources
Relating to quail hunting in Hardeman County.
- S.B. 1248** by Montford Jurisprudence
Relating to the salaries of certain justices and judges.
- S.B. 1249** by Montford Jurisprudence
Relating to court coordinators and computer equipment for certain district courts.
- S.B. 1250** by Montford Jurisprudence
Relating to authority of a charitable nonprofit corporation to serve as a trustee.
- S.B. 1251** by Montford Economic Development
Relating to an exemption of certain charitable gift annuities from regulation under the Insurance Code.

S.B. 1252 by Montford State Affairs
Relating to information to be provided upon application for original, renewal, or duplicate driver license and personal identification cards; requiring all license applicants, including applicants younger than 17 years of age, to provide fingerprints and other required information.

S.B. 1253 by Montford Intergovernmental Relations
Relating to fire and police civil service.

S.B. 1254 by Montford Natural Resources
Relating to the administration, powers, duties, operation, and financing of the Canadian River Municipal Water Authority.

S.B. 1255 by Montford Finance
Relating to tuition at public institutions of higher education.

S.B. 1256 by Montford Education
Relating to scholarships and loans for students enrolled in institutions of higher education and funds for repayment of certain physician education loans.

S.B. 1257 by Montford Finance
Relating to the fee for the university center at Texas Tech University.

S.B. 1258 by Bivins Jurisprudence
Relating to the application of the doctrine of forum non conveniens in certain civil actions.

S.B. 1259 by Barrientos Intergovernmental Relations
Relating to requiring counties to accept ownership of conveyed property in certain circumstances.

S.B. 1260 by Montford Natural Resources
Relating to the consolidation of the general obligation bonding authority for the farm and ranch finance program fund with the general obligation bonding authority for the Texas agricultural fund and the rural microenterprise development fund within the Texas Agricultural Finance Authority.

S.B. 1261 by Barrientos Intergovernmental Relations
Relating to the annexation and the provision of services to certain districts by cities and the assessment of surcharges upon the dissolution of those districts.

S.B. 1262 by Montford State Affairs
Relating to Legislative Budget Board oversight of the acquisition, management, development, accounting, and disposition of certain state property.

S.B. 1263 by Montford State Affairs
Relating to proper venue for actions involving state land.

S.B. 1264 by Barrientos Health and Human Services
Relating to the relief of pain of a terminally ill person.

- S.B. 1265** by Montford Finance
Relating to administration and collection of the franchise tax.
- S.B. 1266** by Barrientos Intergovernmental Relations
Relating to public retirement systems for employees of certain municipalities.
- S.B. 1267** by Montford Criminal Justice
Relating to the presumption for theft by check and knowledge of issuance of a bad check.
- S.B. 1268** by Montford Economic Development
Relating to the ownership, operation, or provision of a cable television service by a general-law municipality.
- S.B. 1269** by Montford Finance
Relating to the appraisal and ad valorem taxation of certain types of personal property.
- S.B. 1270** by Montford State Affairs
Relating to participation and credit in, contributions to, and benefits and administration of the Texas County and District Retirement System.
- S.B. 1271** by Barrientos Intergovernmental Relations
Relating to the adjustment of the extraterritorial jurisdiction boundary between certain cities.
- S.B. 1272** by Montford Finance
Relating to tax-exempt private activity bonds.
- S.B. 1273** by Montford Economic Development
Relating to the operation of the smart jobs fund and the employment training program created under that fund.
- S.B. 1274** by Montford Economic Development
Relating to calculation of the self-insurer maintenance tax.
- S.B. 1275** by Montford Economic Development
Relating to the regulation of certain securities.
- S.B. 1346** by West, Cain, State Affairs
Zaffirini, Barrientos, Armbrister, Luna, Wentworth, Moncrief
Relating to sports facilities.

GUESTS PRESENTED

Senator Truan was recognized and introduced to the Senate a delegation of citizens from Guadalupe, Nuevo Leon, Mexico: Mayor Jesus Maria Elizondo, Councilman Francisco Garza, Councilman Sergio Arellano, Councilman Felipe Flores, Councilman Hector Martinez, Councilman Antonio Foster, General Advisor Antonio Valero, and Director of Economic Development Dr. Richard Garres.

The Senate welcomed its distinguished guests.

CAPITOL PHYSICIAN

Senator Barrientos was recognized and presented Dr. Mary Bartz of Austin as the "Doctor for the Day."

The Senate welcomed Dr. Bartz and thanked her for her participation in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians.

GUESTS PRESENTED

Senator Moncrief was recognized and introduced to the Senate Izean Davidson of Fort Worth who was named an American Living Legend by the Junior Black Academy of Arts and Letters. Ms. Davidson was accompanied by members of the Baker Chapel African Methodist Episcopal Church of Fort Worth.

The Senate welcomed its guests.

GUESTS PRESENTED

Senator Zaffirini was recognized and introduced to the Senate her cousins, James and Martha Pappas, and their children, Jimmie and George.

The Senate welcomed its guests.

APPRECIATION EXTENDED

Senator Harris was recognized and expressed the appreciation and thanks of the Senate to the 32 Girl Scouts serving as Honorary Senate Pages this week.

MESSAGE FROM THE HOUSE

House Chamber
March 16, 1995

Mr. President: I am directed by the House to inform the Senate that the House has passed the following:

S.C.R. 54, Congratulating the John Tyler High School football team for winning the 5A Division Championship.

S.C.R. 77, Commending Dr. James M. Brunette for his worthy accomplishments.

S.C.R. 75, Congratulating the University of Houston-Clear Lake for two decades of superior service to the State of Texas.

H.C.R. 122, Recognizing the 100th anniversary of the first female legislators.

H.C.R. 114, Commemorating the sesquicentennial of Texas statehood.

H.C.R. 115, Commending John Gordon for his service to the residents of The Colony.

H.C.R. 116, Commending Bill Longo for his service to the residents of The Colony.

H.C.R. 123, Commending Dr. Donald Ray McNeal for his service as pastor of First Shiloh Missionary Baptist Church.

Respectfully,

Cynthia Gerhardt, Chief Clerk
House of Representatives

GUESTS PRESENTED

Senator Haywood was recognized and introduced to the Senate a group of St. Vincent Ballet Folklorico dancers of Abilene.

The Senate welcomed its guests.

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
March 16, 1995

TO THE SENATE OF THE SEVENTY-FOURTH LEGISLATURE,
REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE MEMBERS OF THE STEPHEN F. AUSTIN STATE UNIVERSITY
BOARD OF REGENTS for terms to expire January 31, 2001:

JIMMY W. MURPHY
One West Loop South, Suite 714
Houston, Texas 77027

Mr. Murphy will be replacing James M. Windham, Jr., of Houston, whose term expired.

RICHARD A. BROOKSHIRE
2311 Copeland
Lufkin, Texas 75904

Mr. Brookshire will be replacing Larry J. Christopher of Crockett, whose term expired.

PATTYE GREER
4033 Tara Lane
Nacogdoches, Texas 75961

Ms. Greer will be replacing Roy Blake, Sr., of Nacogdoches, whose term expired.

TO BE JUDGE OF CRIMINAL DISTRICT COURT NUMBER TWO OF
TARRANT COUNTY until the next General Election and until his
successor shall be duly elected and qualified:

WAYNE F. SALVANT
5810 Arbor Valley Drive
Arlington, Texas 76016

Mr. Salvant will be replacing Judge Lee Ann Dauphinot of Tarrant County, who was elected to the Second Court of Appeals.

Respectfully submitted,

/s/George W. Bush
Governor of Texas

PERMISSION TO INTRODUCE BILLS

On motion of Senator Truan and by unanimous consent, Article III, Section 5 of the Texas Constitution and Senate Rule 7.07(b) were suspended to permit the introduction of the following bills:

S.B. 1343	S.B. 1592
S.B. 1588	S.B. 1593
S.B. 1589	S.B. 1594
S.B. 1590	S.B. 1595
S.B. 1591	S.B. 1596

COMMITTEE SUBSTITUTE SENATE BILL 60 ON THIRD READING

Senator Patterson moved that the regular order of business be suspended and that C.S.S.B. 60 be placed on its third reading and final passage.

C.S.S.B. 60, Relating to the issuance of a license to carry a concealed handgun; requiring of an applicant for the license a handgun proficiency and safety training course and a criminal background check; providing penalties.

The motion prevailed by the following vote: Yeas 23, Nays 7.

Yeas: Armbrister, Bivins, Brown, Cain, Galloway, Harris, Haywood, Henderson, Lucio, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Turner, Wentworth, Whitmire, Zaffirini.

Nays: Barrientos, Ellis, Gallegos, Leedom, Luna, Truan, West.

Absent-excused: Sims.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 7. (Same as previous roll call)

MESSAGE FROM THE HOUSE

House Chamber
March 16, 1995

Mr. President: I am directed by the House to inform the Senate that the House has passed the following:

S.B. 238, Relating to the employment and commissioning of law enforcement personnel to provide security services to certain educational institutions.

S.B. 8, Relating to the distribution of certain state funds appropriated for education and certain statewide retirement systems.

Respectfully,

Cynthia Gerhardt, Chief Clerk
House of Representatives

GUEST PRESENTED

The President acknowledged the presence of Representative Ron Wilson in the Senate Chamber.

The Senate welcomed Representative Wilson.

(Senator Turner in Chair)

(President in Chair)

SENATE JOINT RESOLUTION 1 ON SECOND READING

Senator Ellis asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

S.J.R. 1, Proposing a constitutional amendment abolishing the office of state treasurer.

There was objection.

Senator Ellis then moved to suspend the regular order of business and take up **S.J.R. 1** for consideration at this time.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Harris, Haywood, Lucio, Luna, Madla, Moncrief, Montford, Nixon, Patterson, Ratliff, Rosson, Sibley, Truan, Turner, Wentworth, West, Zaffirini.

Nays: Galloway, Henderson, Leedom, Nelson, Shapiro, Whitmire.

Absent-excused: Sims.

The resolution was read second time.

Senator Ellis offered the following committee amendment to the resolution:

Committee Amendment No. 1

Amend **S.J.R. 1**, in SECTION 1, Subsection b, by striking "August 31, 1996" and inserting "September 1, 1996" in lieu thereof.

The committee amendment was read and was adopted by a viva voce vote.

The resolution as amended was passed to engrossment by the following vote: Yeas 23, Nays 7.

Yeas: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Harris, Haywood, Luna, Madla, Moncrief, Montford, Nixon, Patterson, Ratliff, Rosson, Sibley, Truan, Turner, Wentworth, West, Zaffirini.

Nays: Galloway, Henderson, Leedom, Lucio, Nelson, Shapiro, Whitmire.

Absent-excused: Sims.

SENATE JOINT RESOLUTION 1 ON THIRD READING

Senator Ellis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.J.R. 1** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 6.

Yeas: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Harris, Haywood, Lucio, Luna, Madla, Moncrief, Montford, Nixon, Patterson, Ratliff, Rosson, Sibley, Truan, Turner, Wentworth, West, Zaffirini.

Nays: Galloway, Henderson, Leedom, Nelson, Shapiro, Whitmire.

Absent-excused: Sims.

The resolution was read third time and was passed by the following vote: Yeas 23, Nays 7.

Yeas: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Gallegos, Harris, Haywood, Luna, Madla, Moncrief, Montford, Nixon, Patterson, Ratliff, Rosson, Sibley, Truan, Turner, Wentworth, West, Zaffirini.

Nays: Galloway, Henderson, Leedom, Lucio, Nelson, Shapiro, Whitmire.

Absent-excused: Sims.

COMMITTEE SUBSTITUTE SENATE BILL 20 ON SECOND READING

On motion of Senator Ellis and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 20, Relating to transferring all powers and duties of the state treasurer to the comptroller of public accounts.

The bill was read second time.

Senator Armbrister offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.S.B. 20** by inserting a new **SECTION 3** to the bill to read as follows and by renumbering subsequent sections appropriately:

SECTION 3. Notwithstanding Section 404.0011, Government Code, as added by this Act, and Section 2(a) of this Act, management of TexPool,

the investment pool for local public funds created under Chapter 791, Government Code, and managed by the state treasury, is transferred to the Employees Retirement System of Texas.

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 20 ON THIRD READING**

Senator Ellis moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C.S.S.B. 20 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Leedom.

Absent-excused: Sims.

The bill was read third time and was passed by a viva voce vote.

RECORD OF VOTE

Senator Leedom asked to be recorded as voting "Nay" on the final passage of the bill.

(Senator Truan in Chair)

SENATE BILL 169 ON SECOND READING

Senator Moncrief moved to suspend the regular order of business to take up for consideration at this time:

S.B. 169, Relating to the interstate placement of and assistance to children; creating offenses and providing penalties.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Sims.

The bill was read second time and was passed to engrossment by a viva voce vote.

SENATE BILL 169 ON THIRD READING

Senator Moncrief moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 169** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Sims.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 261 ON SECOND READING**

Senator Leedom asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 261, Relating to certain charges in connection with a fine for violation of a motor vehicle law.

There was objection.

Senator Leedom then moved to suspend the regular order of business and take up **C.S.S.B. 261** for consideration at this time.

The motion prevailed by the following vote: Yeas 25, Nays 5.

Yeas: Armbrister, Barrientos, Bivins, Brown, Cain, Ellis, Galloway, Henderson, Leedom, Lucio, Luna, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Rosson, Shapiro, Sibley, Turner, Wentworth, Whitmire, Zaffirini.

Nays: Gallegos, Harris, Haywood, Truan, West.

Absent-excused: Sims.

The bill was read second time.

Senator Leedom offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.S.B. 261** by striking SECTION 1 in its entirety and inserting in lieu thereof the following:

SECTION 1. Title 116, Revised Statutes, is amended by adding Article 6701d-28 to read as follows:

Art. 6701d-28. LOCAL GOVERNMENT EXPENSE IN COLLECTING FINES. (a) In this article:

(1) "Delinquent fine" means a fine that is not paid on or before the last date on which payment may be made without penalty, as determined by applicable law or court order.

(2) "Motor vehicle misdemeanor" means a violation, punishable as a misdemeanor, of a statute or municipal ordinance that regulates:

(A) parking or stopping of a motor vehicle;

(B) a driver's conduct or condition while operating a motor vehicle; or

(C) the condition of a motor vehicle while it is being operated.

(b) If the governing body of a municipality or county by an affirmative vote recorded in the governing body's minutes approves the collection of expenses related to delinquent fines for motor vehicle misdemeanors, a person owing a delinquent fine that was assessed for a motor vehicle misdemeanor and that has been delinquent for 30 days or more, is liable to the municipality or county for:

(1) interest on the amount of the delinquent fine at a rate of one percent a month for the period beginning on the first day following the month the fine becomes delinquent and ending on the last day of the month prior to the collection of the delinquent fine; and

(2) collection fees in an amount equal to the lesser of:

(A) 30 percent of the amount equal to the sum of the fine; or

(B) \$100.

The amendment was read and was adopted by a viva voce vote.

RECORD OF VOTE

Senator Gallegos asked to be recorded as voting "Nay" on the adoption of Floor Amendment No. 1.

Senator Barrientos offered the following amendment to the bill:

Floor Amendment No. 2

Amend C.S.S.B. 261 as follows:

Add a new subsection (d) to proposed Article 6701d-28 to read as follows:

"(d) This article does not apply to delinquent fines for parking or stopping a motor vehicle in a municipality which has disannexed territory previously annexed for limited purposes and which employs the practice of immobilization of motor vehicles with a mechanical device unless all the parking meters in the municipality accept any coins minted by the United States which have a value between five cents and twenty-five cents."

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by the following vote:
Yeas 20, Nays 10.

Yeas: Armbrister, Barrientos, Bivins, Brown, Cain, Galloway, Haywood, Leedom, Lucio, Madla, Moncrief, Montford, Nelson, Patterson, Ratliff, Shapiro, Sibley, Turner, Wentworth, Zaffirini.

Nays: Ellis, Gallegos, Harris, Henderson, Luna, Nixon, Rosson, Truan, West, Whitmire.

Absent-excused: Sims.

(President in Chair)

COMMITTEE SUBSTITUTE SENATE BILL 280 ON SECOND READING

On motion of Senator Brown and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 280, Relating to the grounds for reversing a criminal case on appeal.

The bill was read second time.

Senator Montford offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.S.B. 280** by striking SECTION 1, subsection (d) and substituting in lieu thereof the following:

SECTION 1. Article 45.25, Code of Criminal Procedure, is amended by adding subsection (d) to read as follows:

(d) The court of appeals or the Court of Criminal Appeals shall reverse a judgment in a criminal action for an error of constitutional dimension unless the record shows beyond a reasonable doubt that the error made no contribution to the verdict or the sentence.

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 280 ON THIRD READING**

Senator Brown moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 280** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Sims.

The bill was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 734 ON SECOND READING**

On motion of Senator Rosson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment: .

C.S.S.B. 734, Relating to promoting the ability of the public and state agencies to access information maintained and services provided electronically by state agencies.

The bill was read second time and was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 734 ON THIRD READING**

Senator Rosson moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 734** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Sims.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

GUEST PRESENTED

Senator Zaffirini was recognized and introduced to the Senate Catherine Bailey, serving today as an Honorary Senate Page. Catherine is the daughter of Chuck Bailey, Executive Assistant to the Lieutenant Governor.

The Senate welcomed Miss Bailey.

**COMMITTEE SUBSTITUTE
SENATE BILL 438 ON SECOND READING**

On motion of Senator Madla and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 438, Relating to the operation of overweight vehicles on highways; providing criminal penalties.

The bill was read second time.

Senator Ratliff offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.S.B. 438** by adding the following section, appropriately numbered, and renumbering subsequent sections appropriately:

SECTION__. Section 5B, Chapter 42, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 6701d-11, Vernon's Texas Civil Statutes), is amended by adding Subsection (1) to read as follows:

(1) A permit issued by the department under this section does not authorize the operation on a bridge or culvert of a vehicle that exceeds the maximum weight for the bridge, after an engineering and traffic study conducted by the Texas Department of Transportation, established by:

(1) the commissioners court of the county in which the bridge or culvert is located under:

(A) Section 5-1/2(b) of this Act; or

(B) Section 2.301(b)(2), County Road and Bridge Act (Article 6702-1, Vernon's Texas Civil Statutes); or

(2) the Texas Transportation Commission under Section 5-1/2(a) of this Act.

The amendment was read.

Senator Armbrister offered the following amendment to Floor Amendment No. 1:

Floor Amendment No. 2

Amend Floor Amendment No. 1 to **C.S.S.B. 438** Section 5B, Chapter 42, General Laws, Acts of the 41st Legislature, 2nd Called Session, 1929 (Article 670d-11, Vernon's Texas Civil Statutes), by adding the following:

(m) If a vehicle whose operator holds a permit issued under this section is prohibited from traveling over a bridge or culvert because of a

weight limit, the entity setting the weight limit for the bridge or culvert shall, within a reasonable time considering the nature of the cargo being transported, designate the shortest available alternate route.

The amendment to Floor Amendment No. 1 was read and was adopted by a viva voce vote.

Question recurring on the adoption of Floor Amendment No. 1 as amended, the amendment as amended was adopted by a viva voce vote.

Senator Truan offered the following amendment to the bill:

Floor Amendment No. 3

Amend C.S.S.B. 438 as follows:

Add (c) to SECTION 2. of the bill which refers to Section 5B, Chapter 42, General Laws Article 6701-d-11.

(c) This section does not authorize the operation of a vehicle on:

(1) the national system of interstate and defense highways in this state if the weight of that vehicle is ~~[of vehicles with a weight]~~ greater than authorized by federal law; or

(2) a road or highway for which maximum weight and load limits have been established and posted by the Texas Transportation Commission or a commissioners court of county pursuant to Section 5-1/2 of this Act, if the gross weight of that vehicle and load is greater than five percent or the axle and wheel loads are greater than 10 percent above those established and posted under that section.

The amendment was read.

On motion of Senator Madla, the amendment was tabled by the following vote: Yeas 23, Nays 7.

Yeas: Armbrister, Bivins, Brown, Cain, Gallegos, Galloway, Harris, Haywood, Henderson, Leedom, Lucio, Madla, Moncrief, Montford, Nelson, Nixon, Patterson, Ratliff, Shapiro, Sibley, Turner, Wentworth, Zaffirini.

Nays: Barrientos, Ellis, Luna, Rosson, Truan, West, Whitmire.

Absent-excused: Sims.

The bill as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 438 ON THIRD READING**

Senator Madla moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C.S.S.B. 438 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Sims.

The bill was read third time and was passed by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 437 ON SECOND READING**

On motion of Senator Madla and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

C.S.S.B. 437, Relating to requiring a county to report on its expenditure of funds required to be used for highways.

The bill was read second time.

Senator Madla offered the following amendment to the bill:

Floor Amendment No. 1

Amend **C.S.S.B. 437** in SECTION 1 of the bill, by adding a new sentence at the end of proposed Section 4.204 of the County Road and Bridge Act (Article 6702-1, Vernon's Texas Civil Statutes), to read as follows:

The distribution of money from the county and road district highway fund under Section 4.001 of this Act may not be made to a county unless the most recent report required by this section has been filed with the comptroller.

The amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

**COMMITTEE SUBSTITUTE
SENATE BILL 437 ON THIRD READING**

Senator Madla moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **C.S.S.B. 437** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Sims.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

**COMMITTEE SUBSTITUTE
SENATE BILL 246 ON THIRD READING**

Senator Wentworth moved that the regular order of business be suspended and that **C.S.S.B. 246** be placed on its third reading and final passage.

C.S.S.B. 246, Relating to the application of the open meetings law to certain meetings of governmental bodies.

The motion prevailed by the following vote: Yeas 21, Nays 8.

Yeas: Armbrister, Barrientos, Bivins, Brown, Cain, Gallegos, Galloway, Harris, Haywood, Leedom, Luna, Madla, Moncrief, Nelson, Nixon, Ratliff, Shapiro, Truan, Turner, Wentworth, Whitmire.

Nays: Ellis, Henderson, Lucio, Montford, Rosson, Sibley, West, Zaffirini.

Absent: Patterson.

Absent-excused: Sims.

The bill was read third time.

Senator Armbrister offered the following amendment to the bill:

Floor Amendment No. 1

Amend C.S.S.B. 246 by striking the word "receive" where it appears in Section 1, Subdivision (4)(b), and substituting in lieu thereof the word "solicit".

The amendment was read and was adopted by the following vote: Yeas 19, Nays 9.

Yeas: Armbrister, Barrientos, Bivins, Brown, Cain, Gallegos, Galloway, Haywood, Leedom, Luna, Madla, Moncrief, Nelson, Nixon, Ratliff, Truan, Turner, Wentworth, Whitmire.

Nays: Ellis, Henderson, Lucio, Montford, Rosson, Shapiro, Sibley, West, Zaffirini.

Absent: Harris, Patterson.

Absent-excused: Sims.

(Senator Whitmire in Chair)

Senator Montford moved to table C.S.S.B. 246.

The motion to table was lost by the following vote: Yeas 13, Nays 14.

Yeas: Brown, Cain, Ellis, Harris, Henderson, Lucio, Montford, Nixon, Rosson, Shapiro, Sibley, West, Zaffirini.

Nays: Barrientos, Bivins, Gallegos, Galloway, Haywood, Leedom, Luna, Madla, Nelson, Ratliff, Truan, Turner, Wentworth, Whitmire.

Absent: Armbrister, Moncrief, Patterson.

Absent-excused: Sims.

(President in Chair)

The bill as amended was finally passed by the following vote: Yeas 17, Nays 11.

Yeas: Barrientos, Bivins, Cain, Gallegos, Galloway, Haywood, Leedom, Luna, Madla, Moncrief, Nelson, Ratliff, Shapiro, Truan, Turner, Wentworth, Whitmire.

Nays: Brown, Ellis, Harris, Henderson, Lucio, Montford, Nixon, Rosson, Sibley, West, Zaffirini.

Absent: Armbrister, Patterson.

Absent-excused: Sims.

MESSAGE FROM THE HOUSE

House Chamber

March 16, 1995

Mr. President: I am directed by the House to inform the Senate that the House has passed the following:

H.B. 427, Relating to the exclusion from coverage under the Texas Unemployment Compensation Act of services performed by certain securities representatives.

H.B. 431, Relating to the offense of theft.

H.B. 582, Relating to the date for holding a political party's county and senatorial district conventions.

H.B. 669, Relating to the quarantine of rabid animals.

H.B. 815, Relating to a recreational facility fee at The University of Texas at Dallas.

H.B. 889, Relating to a prohibition on merger transactions involving out-of-state banks and a prohibition on interstate branches.

H.B. 1094, Relating to delinquency charges in retail charge agreements.

Respectfully,

Cynthia Gerhardt, Chief Clerk

House of Representatives

SENATE BILL 739 ON SECOND READING

On motion of Senator Leedom and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 739, Relating to the inspection and certification of elevators in an industrial facility.

The bill was read second time.

Senator Leedom offered the following committee amendment to the bill:

Committee Amendment No. 1

Amend **S.B. 739** in SECTION 1 by striking Paragraph (1) of Section 754.014(a) and inserting in lieu thereof the following:

(1) buildings owned or operated by the state, a state-owned institution or agency, or a political subdivision of the state; and

The committee amendment was read and was adopted by a viva voce vote.

The bill as amended was passed to engrossment by a viva voce vote.

SENATE BILL 739 ON THIRD READING

Senator Leedom moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **S.B. 739** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Sims.

The bill was read third time and was passed by a viva voce vote.

**SENATE RULE 5.14(a) SUSPENDED
(Intent Calendar)**

On motion of Senator Zaffirini and by unanimous consent, Senate Rule 5.14(a), limiting the number of bills a Member may place on the Intent Calendar, was suspended through next week in order that Members of the Committee on Health and Human Services may place more than three bills on the Intent Calendar.

**SENATE RULE 7.09(d) SUSPENDED
(Fiscal Notes)**

On motion of Senator Ratliff and by unanimous consent, Senate Rule 7.09(d), requiring any bills or resolutions authorizing or requiring changes in the public school finance system to have a fiscal note attached, was suspended for **S.B. 1**.

MEMORIAL RESOLUTION

S.R. 461 - By Truan: In memory of Juan Aguilar of Corpus Christi.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 460 - By Wentworth: Recognizing Carolyn S. Cobb on the occasion of her retirement after 30 years of service with the State of Texas.

S.R. 462 - By Truan: Welcoming the representatives from Mexico of the American Council of Young Political Leaders to the State Capitol.

S.R. 463 - By Montford: Commending the Center for Public Service at Texas Tech University for its Military Base Conversion and Community Assistance Program.

S.R. 464 - By Montford: Congratulating Correna Frazier of Hillsboro on the occasion of her 100th birthday.

H.C.R. 26 - (Nixon): Honoring the organizers and participants of the Conroe Cajun Catfish Festival.

ADJOURNMENT

On motion of Senator Truan, the Senate at 1:41 p.m. adjourned, in memory of Ludora "Ludie" Langston Kuempel, until 11:00 a.m. Monday, March 20, 1995.

APPENDIX

REPORTS OF STANDING COMMITTEES

The following committee reports were received by the Secretary of the Senate:

March 16, 1995

INTERGOVERNMENTAL RELATIONS — S.B. 779, S.B. 774, S.B. 770 (Amended), S.B. 717 (Amended), C.S.S.B. 821, C.S.S.B. 421, C.S.S.B. 680, S.B. 1054, C.S.S.B. 431, S.B. 864 (Amended)

JURISPRUDENCE — S.B. 624, S.B. 737 (Amended), S.B. 551, S.B. 796, S.B. 802, S.B. 795, C.S.S.B. 264, S.B. 803

HEALTH AND HUMAN SERVICES — C.S.S.B. 10, C.S.S.B. 600, C.S.S.B. 601, C.S.S.B. 602, S.B. 603, C.S.S.B. 604, C.S.S.B. 605, C.S.S.C.R. 55, S.C.R. 56, S.C.R. 57, C.S.S.C.R. 58, C.S.S.C.R. 59, C.S.S.C.R. 60

FINANCE — S.B. 768, S.B. 776, C.S.S.B. 409

INTERGOVERNMENTAL RELATIONS — C.S.S.B. 748

NATURAL RESOURCES — C.S.S.B. 97

FINANCE — H.J.R. 34

**In Memory
of
Ludora "Ludie" Langston Kuempel**

Senator Wentworth offered the following resolution:

(Senate Concurrent Resolution 94)

WHEREAS, The passing of Ludora "Ludie" Langston Kuempel on January 2, 1995, at the age of 85, has brought great sadness to the many friends and relatives of this beloved woman; and

WHEREAS, A native Austinite, she was born in the Capital City on December 4, 1909, and remained a Central Texas resident throughout her lifetime; and

WHEREAS, The devoted wife of Henry Kuempel, whom she married on February 15, 1939, Mrs. Kuempel also was the loving mother of our esteemed colleague Edmund Kuempel and Robert Kuempel, in whose achievements she took great pride; and

WHEREAS, Her lovely home always served as a welcome retreat for the members of her close-knit family as well as for her many friends in the community, where her friendly nature and caring ways had endeared her to all who were privileged to know her; and

WHEREAS, Mrs. Kuempel was a devout woman whose strong handshake was symbolic of much else that was resolute within her; her strong character, faith, and commitment to church and family were legendary, and her memory will long endure in the hearts of the many people whose lives she touched during her years on this earth; now, therefore, be it

RESOLVED, That the 74th Legislature of the State of Texas hereby pay tribute to the life of Ludora "Ludie" Langston Kuempel and extend sincere condolences to the members of her family: her husband, Henry Kuempel; her sons and daughters-in-law, Edmund and Roberta Kuempel and Robert and Jamie Kuempel; her grandchildren, Margaret and Walter Brady and John Langston Charles Kuempel; and to her many other friends and relatives; and, be it further

RESOLVED, That an official copy of this resolution be prepared for the members of her family as an expression of deepest sympathy from the Texas Legislature, and that when the legislature adjourns this day, it do so in memory of Ludora "Ludie" Langston Kuempel.

The resolution was read.

On motion of Senator Sibley and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Wentworth and by unanimous consent, the resolution was considered immediately and was adopted by a rising vote of the Senate.